CM/ECF - U.S. District Court: ALMD - Docket Report Case 2:05-cv-00477-ID-VPM

27BD, CLOSED

# **U.S. District Court** Alabama Middle District (Montgomery) CRIMINAL DOCKET FOR CASE #: 2:97-cr-00131-ID-ALL **Internal Use Only**

Case title: USA v. Townsend

Magistrate judge case number: 2:97-mj-00033

Date Filed: 06/11/1997

Assigned to: Judge Ira De Ment

## **Defendant**

John Henry Townsend (1) TERMINATED: 10/27/1997

## represented by Barry Elvin Teague

138 Adams Avenue P. O. Box 586

Montgomery, AL 36101

(334) 834-4500

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Email: beteague36@aol.com TERMINATED: 10/27/1997

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

#### David B. Byrne, III

Beasley Allen Crown Methvin Portis &

Miles PC

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334-269-2343

Fax: 954-7555

Email: david.byrne@beasleyallen.com

TERMINATED: 06/25/1997

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ATTORNEY TO BE NOTICED

Designation: CJA Appointment

#### Jon A. May

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110 SE 6th Street

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#### **Malcolm Rance Newman**

Malcolm R. Newman, PC P.O. Box 6137 Dothan, AL 36302-6137 (334) 792-2132 Fax: 671-8341 Email: mnewman470@aol.com LEAD ATTORNEY ATTORNEY TO BE NOTICED Designation: Retained

## Richard J. Spurlin

Stokes & Morrow
P. O. Box 356
Elba, AL 36323-0356
(334) 897-2894
Fax: 897-6824
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

# **Pending Counts**

21:841(a)(1) DISTB OF COCAINE BASE - NMT \$4,000,000; [\*]; NLT 10Y NMT LIFE, B; NLT 5Y SUP REL; VWPA; G-LINES; \$100 SA (1)

## **Highest Offense Level (Opening)**

Felony

**Terminated Counts** 

None

**Highest Offense Level (Terminated)** 

None

**Complaints** 

None

# **Disposition**

169 months imprisonment, Court recommends that defendant receive drug counseling; 5 years supervised release; \$100 Assessment

#### **Disposition**

**Disposition** 

## **Plaintiff**

#### **United States of America**

## represented by Charles F. Teschner

U.S. Attorney's Office PO Box 197 Montgomery, AL 36101-0197 334-223-7280 Fax: 223-7560 TERMINATED: 04/27/2000 LEAD ATTORNEY ATTORNEY TO BE NOTICED

### Kent B. Brunson

U.S. Attorney's Office PO Box 197 Montgomery, AL 36101-0197 334-223-7280

Fax: 223-7560

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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/07/1997	1	COMPLAINT as to John Henry Townsend [ 2:97-m -33 ] (sql) (Entered: 05/07/1997)
05/07/1997	2	Arrest WARRANT issued as to John Henry Townsend [ 2:97-m -33 ] (sql) (Entered: 05/07/1997)
05/07/1997		ARREST of John Henry Townsend [ 2:97-m -33 ] (sql) (Entered: 05/07/1997)
05/07/1997	3	CJA 23 FINANCIAL AFFIDAVIT by John Henry Townsend [ 2:97-m -33 ] (sql) (Entered: 05/07/1997)
05/07/1997		Initial appearance as to John Henry Townsend held before Mag. Judge John L. Carroll on 5/7/97 (Defendant informed of rights.) [ 2:97-m -33 ] (sql) (Entered: 05/07/1997)
05/07/1997	4	Courtroom Deputy's Minutes as to John Henry Townsend of initial appearance.: [ 2:97-m -33 ] (sql) (Entered: 05/07/1997)
05/07/1997	5	ORDER Setting Conditions of Release as to John Henry Townsend Bond set to \$25,000 non-surety for John Henry Townsend. ( Signed by Mag. Judge John L. Carroll ), Copies furnished to: usa, ptso, fpd & usm [ 2:97-m -33 ] (sql) (Entered: 05/07/1997)
05/07/1997	6	BOND entered by John Henry Townsend Bond set to \$25,000 non-surety for John Henry Townsend. [2:97-m -33] (sql) (Entered: 05/07/1997)

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05/07/1997	7	Arrest WARRANT Returned Executed as to John Henry Townsend on 5/7/97 [ 2:97-m -33 ] (nhr) (Entered: 05/08/1997)
05/07/1997		**Added Government Attorney Charles F. Teschner as to John Henry Townsend [ 2:97-m -33 ] (sql) (Entered: 05/20/1997)
05/07/1997		ORAL ORDER as to John Henry Townsend, Appointing Federal Public Defender (Entered by Mag. Judge John L. Carroll) [2:97-m-33] (sql) (Entered: 05/20/1997)
05/07/1997		**Added party John Henry Townsend - 4073 Bonfield Dr., Montgomery, AL 36116 [ 2:97-m -33 ] Defendant's new address as of 7/3/97 is: c/o Montgomery City Jail, P. O. Box 159, Montgomery, AL 36101. NEW ADDRESS: REG. NO. 10000-002, FCI MARIANNA - NAVAJO-B, P. O. BOX 7007, MARIANNA, FL 32447-7007 (sql) Modified on 09/16/1998 (Entered: 05/20/1997)
05/08/1997	8	ORDER as to John Henry Townsend, set Preliminary Examination for 9:00 5/20/97 for John Henry Townsend before Mag. Judge John L. Carroll in Third Floor Courtroom (Signed by Mag. Judge John L. Carroll) Copies mailed to: Counsel, defendant, Copies furnished to: USA, USM, USPO, USPTS, STAN, MARIE [2:97-m -33] (nhr) Modified on 05/08/1997 (Entered: 05/08/1997)
05/08/1997		**Reset last document number to 8 [ 2:97-m -33 ] (nhr) (Entered: 05/08/1997)
05/13/1997	9	NOTICE of Appearance for John Henry Townsend by Attorney William Rufus King [ 2:97-m -33 ] (sql) (Entered: 05/14/1997)
05/16/1997	10	MOTION by John Henry Townsend to Substitute Attorney John William Focke, II for William R. King [10-1] referred to Mag. Judge John L. Carroll [2:97-m-33] (nhr) (Entered: 05/19/1997)
05/20/1997		Preliminary Examination as to John Henry Townsend held before Mag. Judge John L. Carroll on 5/20/97 [ 2:97-m -33 ] (sql) (Entered: 05/20/1997)
05/20/1997	11	Courtroom Deputy's Minutes and witness list as to John Henry Townsend of preliminary hearing.: [ 2:97-m -33 ] (sql) (Entered: 05/20/1997)
05/20/1997	12	ORDER as to John Henry Townsend binding him over to the District Court for further action. (Signed by Mag. Judge John L. Carroll), Copies furnished to: usa, ptso, fpd & usm [2:97-m-33] (sql) (Entered: 05/20/1997)
05/21/1997	13	MOTION by John Henry Townsend for John W. Focke & William King to Withdraw as Attorney [13-1] referred to Mag. Judge John L. Carroll [2:97-m -33] (sql) (Entered: 05/22/1997)
05/23/1997	14	ORDER as to John Henry Townsend granting [13-1] motion for John W. Focke & William King to Withdraw as Attorney (Terminated as to John Henry Townsend (1) ( Signed by Mag. Judge John L. Carroll ), Copies

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		furnished to: usa, ptso, fpd & usm [ 2:97-m -33 ] (sql) (Entered: 05/23/1997)
05/23/1997	15	CJA 20 as to John Henry Townsend: Appointment of Attorney David B. Byrne III Voucher # 0777839 (Signed by Mag. Judge John L. Carroll) Copies mailed to: counsel, [2:97-m-33] (sql) (Entered: 05/27/1997)
05/23/1997		**Terminated attorney John William Focke for John Henry Townsend, attorney William Rufus King for John Henry Townsend [ 2:97-m -33 ] (ekl) (Entered: 06/12/1997)
06/11/1997	16	INDICTMENT as to John Henry Townsend (1) count(s) 1 (ekl) (Entered: 06/12/1997)
06/11/1997	17	SUMMONS issued for John Henry Townsend to appear for ARRAIGNMENT 6-25-97, 10am, 3rd floor, before Judge McPherson (ekl) (Entered: 06/12/1997)
06/11/1997		**Added Government Attorney Charles F. Teschner as to John Henry Townsend (ekl) (Entered: 06/12/1997)
06/11/1997		Magistrate Judge Vanzetta Penn McPherson assigned to case for discovery matters as well as matters subsequently referred by District Unassigned Judge . (ekl) (Entered: 06/12/1997)
06/11/1997		**Added ip party John Henry Townsend, 4073 Bonfield Dr, Montg, AL 36116, Ph 334/281-6848. (ekl) (Entered: 06/12/1997)
06/11/1997		ARRAIGNMENT as to John Henry Townsend set for 10:00 6/25/97 for John Henry Townsend at Third Floor Courtroom before Mag Judge Vanzetta P. McPherson (ekl) (Entered: 06/12/1997)
06/16/1997	18	ARRAIGNMENT NOTICE as to John Henry Townsend; Arraignment at 10:00 6/25/97 for John Henry Townsend at Third Floor Courtroom before Mag Judge Vanzetta P. McPherson; ARRAIGNMENT Notice sent to ATTORNEYS; to John Henry Townsend for interested party John Henry Townsend, David B. Byrne III defendant John Henry Townsend, Charles F. Teschner for plaintiff USA (dkt clerk) (Entered: 06/16/1997)
06/17/1997	19	SUMMONS Returned Executed as to John Henry Townsend 6/13/97 by Certified Mail with return receipt (nhr) (Entered: 06/17/1997)
06/25/1997		**Terminated attorney David B. Byrne for John Henry Townsend (sql) (Entered: 06/25/1997)
06/25/1997		**Added for John Henry Townsend Attorney Barry Elvin Teague (sql) (Entered: 06/25/1997)
06/25/1997		ARRAIGNMENT as to John Henry Townsend held before Mag Judge Vanzetta P. McPherson on 6/25/97 Defendant(s) appeared with counsel and after having been advised of Defendant(s') rights, entered a plea of not guilty. (sql) (Entered: 06/25/1997)

06/25/1997		PLEA of Not Guilty: John Henry Townsend (1) count(s) 1; Court accepts plea. (sql) (Entered: 06/25/1997)
06/25/1997	20	Courtroom Deputy's Minutes as to John Henry Townsend of arraignment.: (sql) (Entered: 06/25/1997)
06/26/1997	21	ORDER on Arraignment as to John Henry Townsend directing that Discovery is due on or before 7/9/97 for John Henry Townsend Pretrial Motions due by 7/9/97 for John Henry Townsend; Pretrial set 9:30 7/14/97 for John Henry Townsend in Room 330 Courtroom before Mag Judge Vanzetta P. McPherson Jury Trial set 10:00 8/11/97 for John Henry Townsend in Second Floor Courtroom before Judge Myron H. Thompson Jury Selection 10:00 8/11/97 for John Henry Townsend in Second Floor Courtroom before Judge Myron H. Thompson and government response to pretrial motions due 10 days from motion filing date. (Signed by Mag Judge Vanzetta P. McPherson) Copies mailed to: counsel, Copies furnished to: USA,USPO,USM,USPTS (dkt clerk) (Entered: 06/26/1997)
06/27/1997	22	MOTION by USA as to John Henry Townsend for Court to revoke bond. [22-1] referred to Mag Judge Vanzetta P. McPherson (dkt clerk) (Entered: 06/30/1997)
06/30/1997		TRANSCRIPT filed in case as to John Henry Townsend for date of 5/20/97 preliminary hearing held before Mag. Judge John L. Carroll. (dkt clerk) (Entered: 06/30/1997)
06/30/1997	23	Petition by Pretrial Services as to John Henry Townsend for action on conditions of pretrial release and order (rendered 7-1-97) granting the issuance of a warrant for arrest. (dkt clerk) (Entered: 07/01/1997)
07/01/1997		Final probation revocation hearing as to John Henry Townsend set for 4:00 7/1/97 at Third Floor Courtroom before Mag. Judge John L. Carroll (sql) (Entered: 07/01/1997)
07/01/1997	24	Warrant for arrest of pretrial releasee. (Delivered to U.S. Marshal.) (dkt clerk) (Entered: 07/01/1997)
07/01/1997		CASE temporarily unassigned. (dkt clerk) (Entered: 07/01/1997)
07/01/1997	25	ORDER as to John Henry Townsend, Motion hearing set for 9:00 7/3/97 for John Henry Townsend before Mag Judge Vanzetta P. McPherson in Room 330 Courtroom re: [22-1] motion for Court to revoke bond; directing pretrial services assigned to this case prepare a written report on the alleged violation and a recommendation for the Court; directing the Clerk to forward copies of this order to counsel of record and to pretrial services via facsimile. ( Signed by Mag Judge Vanzetta P. McPherson ) Copies mailed to: counsel, faxed; Copies furnished to: USA,USPO,USM,USPTS,MT,SC,faxed to USPTS. (dkt clerk) Modified on 07/01/1997 (Entered: 07/01/1997)
07/02/1997	26	Arrest WARRANT for pretrial releasee returned executed as to John Henry Townsend on 7/2/97 (dkt clerk) (Entered: 07/02/1997)

07/03/1997		CASE reassigned to Judge Ira De Ment (dkt clerk) (Entered: 07/03/1997)
07/03/1997		Bond Revocation Hearing as to John Henry Townsend held before Mag Judge Vanzetta P. McPherson on 7/3/97 (snc) (Entered: 07/03/1997)
07/03/1997	27	Courtroom Deputy's Minutes of Bond Revocation Hearing as to John Henry Townsend: Order to issue REVOKING BOND. Witness List attached. Tape 1423 (snc) (Entered: 07/03/1997)
07/03/1997		**Terminated (hearing) deadlines as to John Henry Townsend (snc) (Entered: 07/03/1997)
07/07/1997		**Location LC as to John Henry Townsend (nhr) (Entered: 07/07/1997)
07/07/1997	28	ORDER as to John Henry Townsend granting [23-1] Pretrial Services Petition as to John Henry Townsend (1); that defendant entered a plea of Guilty to said petition; that defendant's Pretrial Release is hereby REVOKED; that Defendant is remanded to the custody of the U. S. Marshal. (Signed by Mag Judge Vanzetta P. McPherson ) Copies mailed to: Counsel, Copies furnished to: USA, USM, USPO, USPTS, Ridge (nhr) (Entered: 07/07/1997)
07/07/1997	29	NOTICE OF APPEAL of Conditions of Release by John Henry Townsend to the U.S. District Court. referred to Judge De Ment. (dkt clerk) (Entered: 07/08/1997)
07/09/1997	30	JOINT MOTION by John Henry Townsend and U. S. A. to cancel Pretrial Conference [30-1] referred to Mag Judge Vanzetta P. McPherson (nhr) (Entered: 07/09/1997)
07/10/1997	31	ORDER as to John Henry Townsend affirming [28-1] order (Signed by Judge Ira De Ment) Copies mailed to: Counsel, Copies furnished to: USA, USM, USPO, USPTS, RL (dkt clerk) (Entered: 07/10/1997)
07/10/1997		**Remove appeal flag - no further appeals pending (dkt clerk) (Entered: 07/10/1997)
07/14/1997		STAMPED ORDER as to John Henry Townsend granting [30-1] joint motion to cancel Pretrial Conference as to John Henry Townsend (1) (Entered by Mag Judge Vanzetta P. McPherson) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO, USM,SC (dkt clerk) (Entered: 07/15/1997)
07/15/1997		Deadline updated as to John Henry Townsend, reset Jury Trial on 10:00 8/11/97 for John Henry Townsend before Judge Ira De Ment in First Floor Courtroom (dkt clerk) (Entered: 07/15/1997)
07/15/1997		**Terminated deadlines as to John Henry Townsend (dkt clerk) (Entered: 07/15/1997)
07/15/1997		**Terminated document(s) as to John Henry Townsend: terminating [22-1] motion for Court to revoke bond. as to John Henry Townsend (1), terminating [10-1] motion to Substitute Attorney John William Focke, II

		for William R. King as to John Henry Townsend (1) (dkt clerk) (Entered: 07/15/1997)
07/18/1997	32	TRIAL NOTICE as to John Henry Townsend; Trial set for 10:00 8/11/97 for John Henry Townsend at Second Floor Courtroom; TRIAL Notice to ATTORNEYS Barry Elvin Teague for defendant John Henry Townsend, Charles F. Teschner for plaintiff USA; Clothing Notice mailed.; furnished to USM, PO, PTSO; mailed to defendant. Notice to retained counsel mailed to Barry E. Teague. (dkt clerk) (Entered: 07/18/1997)
07/28/1997	33	Proposed Jury Instructions by USA as to John Henry Townsend (Nos. 1 - 10). Referred to Judge DeMent. (nhr) (Entered: 07/28/1997)
08/04/1997	34	Proposed Jury Instructions by John Henry Townsend (Nos. 1 - 12). Referred to Judge DeMent. (nhr) (Entered: 08/04/1997)
08/05/1997	35	Requested Voir Dire Questions by John Henry Townsend. Referred to Judge DeMent. (nhr) (Entered: 08/05/1997)
08/11/1997		Voir dire begun as to John Henry Townsend (1) count(s) 1 before Judge Thompson. (dkt clerk) (Entered: 08/14/1997)
08/11/1997		Jury selection as to John Henry Townsend held before Judge Myron H. Thompson on 8/11/97; trial set to commence 8/13/97 at 9:00 before Judge DeMent. (dkt clerk) (Entered: 08/14/1997)
08/13/1997		Jury trial as to John Henry Townsend held before Judge Ira De Ment on 8/13/97 and 8/14/97 (dkt clerk) (Entered: 08/14/1997)
08/13/1997		MOTION in open court by USA as to John Henry Townsend to Amend indictment to correct date from March 30, 1996 to April 30, 1996. (dkt clerk) (Entered: 08/14/1997)
08/13/1997		ORAL ORDER as to John Henry Townsend granting [0-0] oral motion to Amend indictment to correct date from March 30, 1996 to April 30, 1996. as to John Henry Townsend (1) (Entered by Judge Ira De Ment) (dkt clerk) (Entered: 08/14/1997)
08/13/1997		MOTION in open court by John Henry Townsend for Judgment of Acquittal at the conclusion of government's case (dkt clerk) (Entered: 08/14/1997)
08/13/1997		ORAL ORDER as to John Henry Townsend denying [0-0] oral motion for Judgment of Acquittal at the conclusion of government's case as to John Henry Townsend (1) (Entered by Judge Ira De Ment) (dkt clerk) (Entered: 08/14/1997)
08/14/1997	36	Jury question filed as to John Henry Townsend; Re: definition of "distribution". (dkt clerk) (Entered: 08/14/1997)
08/14/1997	37	JURY VERDICT of Guilty: John Henry Townsend (1) count(s) 1 (dkt clerk) (Entered: 08/14/1997)

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08/14/1997	38	ORDER as to John Henry Townsend, set Sentencing for 10:00 10/27/97 for John Henry Townsend at U.S. Courthouse before Judge Ira De Ment in U.S. Courthouse; that any objections to the PSI Report shall be made in writing to the probation officer on or before 10/6/97; scheduling a meeting for the parties with the probation officer for 2:00 p.m. 10/7/97 (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO, USM, MT (dkt clerk) (Entered: 08/14/1997)
08/14/1997	39	Courtroom Deputy's Minutes of Jury trial as to John Henry Townsend with attached lists of witnesses and exhibits. : (dkt clerk) (Entered: 08/14/1997)
08/21/1997	40	MOTION by John Henry Townsend for Judgment of Acquittal, or in the alternative for New Trial [40-1] referred to Judge Ira De Ment, [40-2] referred to Judge Ira De Ment (dkt clerk) (Entered: 08/22/1997)
08/27/1997	41	ORDER as to USA, Response to Motion deadline set for 9/2/97 for USA to respond to defendant's [40-2] motion for New Trial (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, PO (dkt clerk) (Entered: 08/27/1997)
08/29/1997	42	RESPONSE by USA as to John Henry Townsend re [40-2] motion for New Trial referred to Judge Ira De Ment (dkt clerk) (Entered: 09/02/1997)
09/03/1997		STAMPED ORDER as to John Henry Townsend denying [40-1] motion for Judgment of Acquittal as to John Henry Townsend (1), denying [40-2] motion for New Trial as to John Henry Townsend (1) (Entered by Judge Ira De Ment) Copies mailed to: Counsel, Copies furnished to: USA, USM, USPO, USPTS, Ridge (nhr) (Entered: 09/03/1997)
09/29/1997	43	SENTENCING NOTICE as to John Henry Townsend; Sentencing set for 10:00 10/27/97 for John Henry Townsend at First Floor Courtroom; SENTENCING Notice sent to ATTORNEYS Barry Elvin Teague for defendant John Henry Townsend, Charles F. Teschner for plaintiff USA; Copies furnished to: USM, PO, PTSO; mailed to deft. (dkt clerk) (Entered: 09/29/1997)
09/30/1997	44	CJA 20 Authorization to pay David B. Byrne III for defendant John Henry Townsend, Amount: \$ 248.42 Voucher # 0777839 ( Signed by Judge Ira De Ment ), (nhr) (Entered: 09/30/1997)
10/27/1997	45	MOTION by John Henry Townsend for Barry E. Teague to Withdraw as Attorney [45-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 10/27/1997)
10/27/1997		Sentencing held before Judge Ira De Ment on 10/27/97 John Henry Townsend (1) count(s) 1 (dkt clerk) (Entered: 10/29/1997)
10/27/1997	46	PRESENTENCE INVESTIGATION REPORT (Sealed) as to John Henry Townsend (dkt clerk) (Entered: 10/29/1997)

10/27/1997	47	ORDER as to John Henry Townsend; SEALING the PSI Report; that if an appeal is taken, the report shall be transmitted to the appellate Court under seal; that counsel may obtain copies as further set out in order ( Signed by Judge Ira De Ment ) Copies mailed to: counsel, Copies furnished to: USA, PO (dkt clerk) (Entered: 10/29/1997)
10/27/1997	48	Courtroom Deputy's Minutes with lists of exhibits and witnesses of 10/27/97 sentencing hearing as to John Henry Townsend: COURT REPORTER: JAMES R. DICKENS. (dkt clerk) (Entered: 10/29/1997)
10/27/1997		STAMPED ORDER as to John Henry Townsend granting [45-1] motion for Barry E. Teague to Withdraw as Attorney (Terminated attorney Barry Elvin Teague for John Henry Townsend as to John Henry Townsend (1) (Entered by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO (dkt clerk) (Entered: 10/29/1997)
10/29/1997	49	JUDGMENT John Henry Townsend (1) count(s) 1. 169 months imprisonment, Court recommends that defendant receive drug counseling; 5 years supervised release; \$100 Assessment (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO, USM, FINANCIAL (dkt clerk) (Entered: 10/29/1997)
10/29/1997		**Case closed as to John Henry Townsend (all defendants). (dkt clerk) (Entered: 10/29/1997)
11/03/1997	50	NOTICE of Appearance for John Henry Townsend by Attorney Malcolm Rance Newman (dkt clerk) (Entered: 11/03/1997)
11/03/1997	51	NOTICE OF APPEAL by John Henry Townsend (1) count(s) 1 to U.S. Circuit Court of Appeals, 11th Circuit, from the conviction entered on August 14, 1997 & sentence imposed on October 27, 1997. Copies mailed to: Counsel, Defendant, USCA, Copies furnished to: USA, USM, USPO (dkt clerk) Modified on 11/03/1997 (Entered: 11/03/1997)
11/03/1997		Notice of appeal and certified copy of docket, Judgments/Orders, and Magistrate Judge recommendations as to John Henry Townsend sent to USCA (11th Circuit): [51-1] appeal (dkt clerk) (Entered: 11/03/1997)
11/21/1997		USCA Case Number as to John Henry Townsend Re: [51-1] appeal USCA Number: 97-6884 (dkt clerk) (Entered: 11/26/1997)
11/24/1997	52	Judgment Returned Executed as to John Henry Townsend on 11/19/97 (nhr) (Entered: 12/02/1997)
12/15/1997		Received \$100 toward Assessment by John Henry Townsend. Receipt #69030. (nhr) (Entered: 01/06/1998)
12/31/1997		USCA appeal fees received from Attorney Malcolm R. Newman FILING FEE \$ 105.00 RECEIPT # 68995 as to John Henry Townsend Re: [51-1] appeal (dkt clerk) (Entered: 12/31/1997)
01/08/1998	53	Satisfaction of Judgment as to Monetary Imposition by USA as to John Henry Townsend (nhr) (Entered: 01/08/1998)

01/12/1998		TRANSCRIPT filed [James Dickens] as to John Henry Townsend for dates of 8/13/97 Jury Trial, Jury Charge & Jury Verdict Read. Certificate of Readiness due on 1/26/98 for John Henry Townsend [51-1] appeal (dkt clerk) (Entered: 01/14/1998)
01/12/1998		TRANSCRIPT filed [James Dickens] as to John Henry Townsend for dates of 10/27/97 Sentence Hearing. Certificate of Readiness due on 1/26/98 for John Henry Townsend [51-1] appeal (dkt clerk) (Entered: 01/14/1998)
02/05/1998		CERTIFICATE OF READINESS of record on appeal mailed to USCA, 11th Circuit and counsel: as to John Henry Townsend [51-1] appeal by John Henry Townsend (dkt clerk) (Entered: 02/05/1998)
02/20/1998		TRANSCRIPT filed in case as to John Henry Townsend for dates of 6/25/97. (Arraignment before Magistrate Judge McPherson.) (dkt clerk) (Entered: 02/20/1998)
02/23/1998		**Reset last document number to 53 (dkt clerk) (Entered: 02/23/1998)
07/01/1998		**Reset last document number to 53 (dkt clerk) (Entered: 07/01/1998)
07/27/1998		**Reset last document number to 53 (dkt clerk) (Entered: 07/27/1998)
08/14/1998	54	NOTICE of Appearance for John Henry Townsend by Attorney Richard J. Spurlin (retained) (nhr) (Entered: 08/14/1998)
08/14/1998	55	RENEWED MOTION by John Henry Townsend for New Trial [55-1] with attachments. Referred to Judge Ira De Ment (nhr) (Entered: 08/14/1998)
08/14/1998	56	MOTION by John Henry Townsend for Expeditious Hearing on Renewed Motion for New Trial [56-1] referred to Judge Ira De Ment (nhr) (Entered: 08/14/1998)
08/17/1998	57	ORDER as to John Henry Townsend, Response to Motion reset for 8/24/98 for John Henry Townsend for [55-1] motion for New Trial (Signed by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA (dkt clerk) (Entered: 08/17/1998)
08/20/1998	58	Exhibit by John Henry Townsend in support of motion for new trial. Referred to Judge DeMent. (dkt clerk) (Entered: 08/20/1998)
08/21/1998	59	MOTION by USA as to John Henry Townsend to Extend Time [59-1] referred to Judge Ira De Ment (nhr) (Entered: 08/24/1998)
08/27/1998	60	MEMORANDUM by John Henry Townsend in opposition to [59-1] motion to Extend Time. Referred to Judge DeMent. (dkt clerk) (Entered: 08/27/1998)
08/28/1998		STAMPED ORDER as to John Henry Townsend granting [59-1] motion to Extend Time as to John Henry Townsend (1), Response to Motion reset for 9/4/98 for John Henry Townsend for [55-1] motion for New Trial (Entered by Judge Ira De Ment) Copies mailed to: counsel, Copies

		furnished to: USA, PO (dkt clerk) (Entered: 08/28/1998)
09/01/1998	61	RESPONSE by USA as to John Henry Townsend re [55-1] renewed motion for New Trial referred to Judge Ira De Ment (dkt clerk) (Entered: 09/02/1998)
09/02/1998		STAMPED ORDER as to John Henry Townsend denying [55-1] motion for New Trial as to John Henry Townsend (1) (Entered by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA, USM, PO (dkt clerk) (Entered: 09/02/1998)
09/16/1998	62	MOTION by John Henry Townsend for Reconsideration of [0-0] order dated 9/2/98 [62-1] referred to Judge Ira De Ment (nhr) (Entered: 09/16/1998)
09/17/1998	63	MOTION by John Henry Townsend for Reconsideration of [0-0] order dated 9/2/98 denying defendant's renewed motion for trial trial [63-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 09/17/1998)
09/24/1998		STAMPED ORDER as to John Henry Townsend denying [62-1] motion for Reconsideration of [0-0] order dated 9/2/98 as to John Henry Townsend (1) (Entered by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA (dkt clerk) (Entered: 09/24/1998)
09/24/1998		STAMPED ORDER as to John Henry Townsend denying [63-1] motion for Reconsideration of [0-0] order dated 9/2/98 denying defendant's renewed motion for new trial as to John Henry Townsend (1) (Entered by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA (dkt clerk) (Entered: 09/24/1998)
10/05/1998	64	NOTICE OF APPEAL by John Henry Townsend to U.S. Circuit Court of Appeals, 11th Circuit, from the orders entered on 9/24/98. Copies mailed to: Defendant, USCA; Copies furn: USA, USPO (dkt clerk) Modified on 11/04/1998 (Entered: 10/16/1998)
10/16/1998		Notice of appeal and certified copy of docket, Judgments/Orders, and Magistrate Judge recommendations as to John Henry Townsend sent to USCA (11th Circuit): [64-1] appeal (dkt clerk) (Entered: 10/16/1998)
10/21/1998		USCA Case Number Re: [64-1] appeal by John Henry Townsend, [51-1] appeal by John Henry Townsend USCA NUMBER: 98-6811 (kcg) (Entered: 10/22/1998)
11/02/1998		USCA appeal fees received from John Henry Townsend \$ 105.00 Receipt # 74042 (kcg) (Entered: 11/03/1998)
11/02/1998	65	Motion For Provision of Grand Jury Transcripts, and Other Documents (construed) as a DESIGNATION of Record on Appeal by John Henry Townsend [64-1] appeal. (dkt clerk) (Entered: 11/04/1998)
11/02/1998	65	MOTION by John Henry Townsend For Provision of GRAND JURY Transcripts and other documents [65-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 12/01/1998)

11/24/1998		REQUEST for Record on Appeal from USCA re: [51-1] appeal by John Henry Townsend [98-6884] (dkt clerk) (Entered: 12/02/1998)
11/30/1998		STAMPED ORDER as to John Henry Townsend denying [65-1] motion For Provision of GRAND JURY Transcripts and other documents as to John Henry Townsend (1) (Entered by Judge Ira De Ment) Copies mailed to: Defendant, USCA, 11th Cir., Copies furnished to: USA, USPO (dkt clerk) (Entered: 12/01/1998)
12/01/1998		CERTIFICATE OF READINESS of record on appeal mailed to USCA, 11th Circuit and counsel: as to John Henry Townsend [64-1] appeal by John Henry Townsend (dkt clerk) Modified on 12/01/1998 (Entered: 11/20/1998)
12/02/1998		Certified and transmitted record on appeal to U.S. Court of Appeals (11th Circuit) as to John Henry Townsend: [51-1] appeal [98-6884] (dkt clerk) (Entered: 12/02/1998)
12/07/1998		ACKNOWLEDGEMENT of RECEIPT of RECORD ON APPEAL from USCA Re: [64-1] appeal by John Henry Townsend, [51-1] appeal by John Henry Townsend USCA Number: 98-6884 (dkt clerk) (Entered: 12/08/1998)
12/30/1998	66	Petitioner's Rule 60(b)(3) motion. [66-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 12/30/1998)
12/30/1998		STAMPED ORDER as to John Henry Townsend denying [66-1] motion Petitioner's Rule 60(b)(3) motion. as to John Henry Townsend (1) ( Entered by Judge Ira De Ment ) Copies mailed to: petitioner, Copies furnished to: USA (dkt clerk) (Entered: 12/30/1998)
01/13/1999	67	NOTICE OF APPEAL by John Henry Townsend to the U.S. Court of Appeals, Eleventh Circuit from the order denying defendant's Rule 60(b)(3) entered in this action on 12/30/98. (Copies mailed to John Henry Townsend, with appeal information sheet & certified copy to USCA with copy of stamped order appealed from and docket entries.) (dkt clerk) Modified on 04/04/2000 (Entered: 01/14/1999)
01/14/1999		Notice of appeal and certified copy of docket, Judgments/Orders, and Magistrate Judge recommendations as to John Henry Townsend sent to USCA (11th Circuit): [67-1] appeal (dkt clerk) (Entered: 01/14/1999)
01/27/1999		USCA Case Number as to John Henry Townsend Re: [67-1] appeal USCA Number: 99-6044 (dkt clerk) (Entered: 01/28/1999)
01/29/1999	68	MOTION by John Henry Townsend to Proceed on Appeal in Forma Pauperis [68-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 01/29/1999)
02/02/1999	69	ORDER as to John Henry Townsend denying [68-1] motion to Proceed on Appeal in Forma Pauperis as to John Henry Townsend (1) ( Signed by Judge Ira De Ment ) Copies mailed to: John Henry Townsend, USCA,

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12/09/1999		Record on Appeal returned from U.S. Court of Appeals: [64-1] appeal (kcg) (Entered: 12/09/1999)
12/09/1999		Received copy of PER CURIAM OPINION entered 9.2.99 of the USCA, 11th Circuit. (kcg) (Entered: 12/09/1999)
12/09/1999	71	JUDGMENT OF USCA issued as MANDATE on 12.8.99 (certified copy) as to John Henry Townsend Re: [67-1] appeal affirming judgment/order, (kcg) (Entered: 12/09/1999)
12/15/1999		**Remove appeal flag - no further appeals pending (kcg) (Entered: 12/15/1999)
02/07/2000	72	MOTION by John Henry Townsend to Vacate under 28 U.S.C. 2255 [72-1] referred to Mag Judge Vanzetta P. McPherson/Anderson. (dkt clerk) (Entered: 02/09/2000)
02/09/2000		**Terminated document(s) as to John Henry Townsend: terminating [56-1] motion for Expeditious Hearing on Renewed Motion for New Trial as to John Henry Townsend (1) (dkt clerk) (Entered: 02/09/2000)
02/10/2000		Record on Appeal as to John Henry Townsend returned from U.S. Court of Appeals: [67-1] appeal [99-6044-EE] (dkt clerk) (Entered: 04/04/2000)
02/11/2000		**Added for John Henry Townsend Attorney Jon A. May for defendant's 2/7/00 2255 motion. (dkt clerk) (Entered: 02/11/2000)
02/11/2000	73	MEMORANDUM by John Henry Townsend in support of [72-1] motion to Vacate under 28 U.S.C. 2255. Referred to Mag. Judge McPherson/Anderson. (dkt clerk) (Entered: 02/11/2000)
02/16/2000	74	ORDER as to John Henry Townsend, Government's Answer to Motion reset for 3/7/00 for John Henry Townsend for [72-1] motion to Vacate under 28 U.S.C. 2255 (Signed by Mag Judge Vanzetta P. McPherson) Copies mailed to: defendant and counsel; Copies furnished to: USA w/2255 petition (dkt clerk) (Entered: 02/16/2000)
02/25/2000		Record on Appeal as to John Henry Townsend returned from U.S. Court of Appeals: [67-1] appeal [97-6884-EE] (dkt clerk) (Entered: 02/25/2000)
02/28/2000	75	NOTICE of Appearance for John Henry Townsend by Attorney John A. May (dkt clerk) (Entered: 02/28/2000)
02/28/2000	76	MOTION by John Henry Townsend for admission Pro Hac Vice - certificate of good standing from the Souther District of Florida dated 2/16/00 attached. (\$20.00 fee paid - receipt No 80839 [76-1] referred to Judge Ira De Ment (dkt clerk) (Entered: 02/28/2000)
03/01/2000		STAMPED ORDER as to John Henry Townsend granting [76-1] motion for admission Pro Hac Vice - certificate of good standing from the Souther District of Florida dated 2/16/00 attached. (\$20.00 fee paid - receipt No 80839 as to John Henry Townsend (1) (Entered by Judge Ira De Ment) Copies mailed to: counsel, Copies furnished to: USA,PO,PTSO

		(dkt clerk) (Entered: 03/01/2000)
03/07/2000	77	MOTION by USA as to John Henry Townsend to Extend Time 30 days to respond to 2255 motion [77-1] referred to Mag Judge Vanzetta P. McPherson (dkt clerk) (Entered: 03/08/2000)
03/13/2000	78	ORDER as to John Henry Townsend granting [77-1] motion to Extend Time 30 days to respond to 2255 motion as to John Henry Townsend (1), Response to Motion reset for 4/7/00 for John Henry Townsend for [72-1] motion to Vacate under 28 U.S.C. 2255 (Signed by Mag Judge Vanzetta P. McPherson) Copies mailed to: counsel, Copies furnished to: USA, PO (dkt clerk) (Entered: 03/13/2000)
03/27/2000		Notice of Change of Address by John Henry Townsend. Reg. No. 10000-002, P.O. Box 5000, Yazoo, MS 39194-5000 (dkt clerk) (Entered: 03/30/2000)
04/04/2000		Received copy of PER CURIAM OPINION entered 1/13/00 of the USCA, 11th Circuit. [99-6044-EE] (dkt clerk) (Entered: 04/04/2000)
04/04/2000	79	JUDGMENT OF USCA issued as MANDATE on 2/10/2000 (certified copy) as to John Henry Townsend Re: [67-1] appeal affirming judgment/order John Henry Townsend (1) count(s) 1 Copies mailed to: Defendant, USDC, Copies furnished to: USA, USPO, Finance (dkt clerk) (Entered: 04/04/2000)
04/06/2000	80	RESPONSE by USA as to John Henry Townsend re [72-1] motion to Vacate under 28 U.S.C. 2255. Exhibit A attached consisting of Affidavit of Barry E. Teague; appellee brief; appeallant brief; 3/16/99 Per Curiam opinion; 9/2/99 Per Curiam opinion; 1/11/2000 Per Curiam Opinion - referred to Mag Judge Vanzetta P. McPherson (dkt clerk) (Entered: 04/07/2000)
04/27/2000	81	ORDER as to John Henry Townsend, Government's Supplemental Response to Motion reset for 5/15/00 for John Henry Townsend for [72-1] motion to Vacate under 28 U.S.C. 2255 addressing the issues as further set out in order (Signed by Mag Judge Vanzetta P. McPherson ) Copies mailed to: counsel, Copies to: USA (dkt clerk) (Entered: 04/27/2000)
04/27/2000		**Terminated attorney Charles F. Teschner for USA (dkt clerk) (Entered: 04/27/2000)
04/27/2000		**Added Government Attorney Kent B. Brunson as to John Henry Townsend (dkt clerk) (Entered: 04/27/2000)
05/15/2000	82	SUPPLEMENTAL RESPONSE by USA as to John Henry Townsend re [72-1] motion to Vacate under 28 U.S.C. 2255 referred to Mag Judge Vanzetta P. McPherson (dkt clerk) (Entered: 05/15/2000)
05/23/2000	83	ORDER as to John Henry Townsend, Response to 4/27/00 order reset for 6/5/00 for USA to furnish affidavits from the defendant's trial and appellate counsel which address those claims of ineffective assistance of

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		counsel identiied in the 4/27/00 orderfor John Henry Townsend for [72-1] motion to Vacate under 28 U.S.C. 2255 (Signed by Mag Judge Vanzetta P. McPherson) Copies mailed to: counsel, Copies furnished to: USA (dkt clerk) (Entered: 05/23/2000)
05/24/2000	84	RESPONSE by USA as to John Henry Townsend to [83-1] order Response to 4/27/00 order reset for 6/5/00 for USA to furnish affidavits from the defendant's trial and appellate counsel which address those claims of ineffective assistance of counsel identified in the 4/27/00 order for John Henry Townsend for [72-1] motion to Vacate under 28 U.S.C. 2255 referred to Mag Judge Vanzetta P. McPherson (dkt clerk) (Entered: 05/25/2000)
05/26/2000	85	REPLY by John Henry Townsend to response to [72-1] motion to Vacate under 28 U.S.C. 2255. Referred to Mag. Judge McPherson. (dkt clerk) (Entered: 05/30/2000)
05/31/2000	86	ORDER as to John Henry Townsend, Reply to Response to Motion reset for 6/20/00 for John Henry Townsend for [72-1] motion to Vacate under 28 U.S.C. 2255 (Signed by Mag Judge Vanzetta P. McPherson) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO (dkt clerk) (Entered: 06/01/2000)
06/07/2000	87	RESPONSE by USA as to John Henry Townsend's REPLY to Government's Response: Re:[72-1] motion to Vacate under 28 U.S.C. 2255. Referred to Mag. Judge McPherson/Anderson (dkt clerk) (Entered: 06/07/2000)
06/12/2000	88	ORDER as to John Henry Townsend, Reply to Response to Motion reset for <date not="" set=""> for John Henry Townsend for [72-1] motion to Vacate under 28 U.S.C. 2255 (Signed by Mag Judge Vanzetta P. McPherson) Copies mailed to: counsel, Copies furnished to: USA, PO, PTSO (dkt clerk) (Entered: 06/12/2000)</date>
07/03/2000		Record on Appeal returned from U.S. Court of Appeals: [67-1] appeal (kcg) (Entered: 07/06/2000)
08/15/2000	89	REPLY by John Henry Townsend to response to [72-1] motion to Vacate under 28 U.S.C. 2255. Referred to Mag. Judge McPherson (dkt clerk) (Entered: 08/15/2000)
08/17/2000	90	ORDER as to John Henry Townsend, Government to file a `Reply to Response to Motion [72-1] motion to Vacate under 28 U.S.C. 2255 ( Signed by Mag Judge Vanzetta P. McPherson ) Copies mailed to: defendant, Copies furnished to: USA (dkt clerk) (Entered: 08/17/2000)
08/22/2000	91	ORDER as to John Henry Townsend, Government's response to defendant's Reply to Motion reset for 9/7/00 for John Henry Townsend for [72-1] motion to Vacate under 28 U.S.C. 2255 (Signed by Mag Vanzetta P. McPherson) Copies mailed to: counsel, Copies furnished to: USA (dkt clerk) (Entered: 08/22/2000)

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09/05/2000	92	RESPONSE by USA as to John Henry Townsend reply to Government's 6/6/00 response [72-1] motion to Vacate under 28 U.S.C. 2255 (dkt clerk) (Entered: 09/05/2000)
09/08/2000	93	ORDER as to John Henry Townsend, Defendant's Reply to Response to Motion reset for 9/28/00 for John Henry Townsend for [72-1] motion to Vacate under 28 U.S.C. 2255 (Signed by Mag Vanzetta P. McPherson) Copies mailed to: counsel, Copies furnished to: USA,PO (dkt clerk) (Entered: 09/08/2000)
09/27/2000	94	REPLY by John Henry Townsend to Government's Sept. 5th response to [72-1] motion to Vacate under 28 U.S.C. 2255; referred to Judge McPherson (dmk) (Entered: 09/28/2000)
07/20/2001		**Added party US Marshals Service, U.S. Pretrial, Montgomery U.S. Probation (dkt clerk) (Entered: 07/20/2001)
07/20/2001	95	MOTION by John Henry Townsend for release on Bond pending resolution of petition for writ of habeas corpus [95-1] referred to Mag Judge Vanzetta P. McPherson (dkt clerk) (Entered: 07/20/2001)
07/24/2001	<u>96</u>	ORDER as to John Henry Townsend denying [95-1] motion for release on Bond pending resolution of petition for writ of habeas corpus as to John Henry Townsend (1) (Signed by Mag Judge Vanzetta P. McPherson) Copies mailed to: counsel, Copies furnished to: USA,PTSO (dkt clerk) (Entered: 07/24/2001)
09/24/2001	<u>97</u>	REPORT AND RECOMMENDATIONS of Mag Judge Vanzetta P. McPherson as to John Henry Townsend Re: 28 USC 2255 motion, Objections Objections due by 10/9/01 [97-1] report and recommendations Copies mailed to: counsel, Copies furnished to: usa, uspo (sql) (Entered: 09/24/2001)
10/09/2001	98	OBJECTION by John Henry Townsend to [97-1] Report and Recommendations of the Magistrate Judge. Referred to Mag. Judge Vanzetta P. McPherson (ws) Modified on 10/09/2001 (Entered: 10/09/2001)
10/09/2001	99	NOTICE of Attorney Change of Address as to John Henry Townsend: Atty. Jon A. May, AutoNation Tower, 110 SE 6th Street, Suite 1970, Ft. Lauderdale, FL 33301 (ws) (Entered: 10/09/2001)
10/16/2001	100	ORDER as to John Henry Townsend overruling defendant's objections; adopting, approving and affirming the Recommendation of the Magistrate Judge; denying [72-1] motion to Vacate under 28 U.S.C. 2255 as to John Henry Townsend (1) ( Signed by Judge Ira De Ment ) Copies mailed to: counsel, Copies furnished to: USA, PO (dkt clerk) (Entered: 10/16/2001)
10/16/2001		**Terminated document(s) as to John Henry Townsend: terminating [97-1] report and recommendations Objections Objections due by 10/9/01 [97-1] report and recommendations as to John Henry Townsend (1) (ekl) (Entered: 05/23/2002)

10/16/2001		**Terminated document(s) as to John Henry Townsend : (ws) (Entered: 05/23/2002)
11/15/2001	101	NOTICE OF APPEAL by John Henry Townsend (1) count(s) 1 to U.S. Circuit Court of Appeals, 11th Circuit, from the Order entered on October 16, 2001, denying his Petition for Writ of Habeas Corpus. Copies Provided (kcg) (Entered: 11/16/2001)
11/15/2001	102	MOTION by John Henry Townsend for a Certificate of Appealability [102-1] referred to Judge Ira De Ment (kcg) (Entered: 11/16/2001)
11/16/2001		Notice of appeal and certified copy of docket, Judgments/Orders, and Magistrate Judge recommendations as to John Henry Townsend sent to USCA (11th Circuit): [101-1] appeal (kcg) (Entered: 11/16/2001)
11/21/2001	103	
11/28/2001		USCA Case Number as to John Henry Townsend Re: [101-1] appeal USCA Number: 01-16506-F (kcg) (Entered: 11/28/2001)
01/04/2002		USCA appeal fees received FILING FEE \$ 105.00 RECEIPT # 90326 as to John Henry Townsend Re: [101-1] appeal (kcg) (Entered: 01/07/2002)
01/04/2002		Received Transcript Order Information sheet from Atty. Jon May for John Henry Townsend with the following notation "No transcript is reqired for appeal purposes". (kcg) (Entered: 01/07/2002)
01/16/2002		REQUEST for Original Papers from USCA re: [101-1] appeal by John Henry Townsend (kcg) (Entered: 01/18/2002)
01/18/2002		Certified and transmitted Original Papers to U.S. Court of Appeals (11th Circuit) as to John Henry Townsend: [101-1] appeal (kcg) (Entered: 01/18/2002)
01/28/2002		ACKNOWLEDGEMENT of RECEIPT of Original Papers for John Henry Townsend from USCA Re: [101-1] appeal by John Henry Townsend USCA Number: 01-16506-F (kcg) (Entered: 01/29/2002)
03/07/2002		Jury Trial Transcript as to John Henry Townsend sent to USCA per their request. (kcg) (Entered: 03/07/2002)
04/02/2002	104	ORDER as to John Henry Townsend is issued in lieu of the mandate of the United States Court of Appeals, Eleventh Circuit, that Appellant's motion for a certificate of appealability is DENIED because appellant has failed to make a substantial showing of the denial of a constitutional right. (kcg) (Entered: 04/04/2002)
04/02/2002		Original Papers returned from U.S. Court of Appeals: [101-1] appeal (kcg) (Entered: 04/04/2002)

https://ecf.almd.circ11.dcn/cgi-bin/DktRpt.pl?104059058919839-L...

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04/04/2002 \*\*Remove appeal flag - no further appeals pending (kcg) (Entered: 04/04/2002)